

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

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Chapter 11

SCUNGIO BORST & ASSOCIATES, LLC,

Case No. 22-10609 (AMC)

Debtor.

**ORDER GRANTING THE PLAN TRUST ADMINISTRATOR’S FIRST OMNIBUS
OBJECTIONS TO CLAIMS AND REQUEST FOR EXPUNGEMENT**

AND NOW, this ____ day of _____, 2024, upon consideration of the SBA Plan Trust’s First Omnibus Objections to Proofs of Claim and Scheduled Claims (collectively, the “Claims”), and Request for Expungement (collectively, the “Objections”) filed by Stephen J. Scherf, SBA Plan Trust Administrator (the “Trust Administrator”) of the SBA Plan Trust (the “Trust”); and notice having been duly provided to all claimants and parties in interest under Federal Rule of Bankruptcy Procedure 3007 and Local Bankruptcy Rule 3007-1; and any response filed thereto; and after notice and a hearing; and this court finding that any opposition to the relief requested in the Objections has been either withdrawn or over ruled, and for the additional reasons stated on the record on the date of the hearing, it is hereby

ORDERED that the Objections are hereby SUSTAINED; and it is further

ORDERED that the Claims set forth on **Exhibit “A”** to the Objections and attached hereto are hereby disallowed and expunged as set forth on Exhibit “A” pursuant to 11 U.S.C. § 502(b)(9) as being filed after the applicable bar date for filing proofs of claim; and it is further

ORDERED that the Claims set forth on **Exhibit “B”** to the Objections and attached hereto are hereby disallowed and expunged as set forth on Exhibit “B” pursuant to 11 U.S.C. § 502(b)(1) as having been satisfied, waived and/or released during the bankruptcy case in

connection with the Debtor's settlement with KPG-MCG Curtis, or in accordance with the Debtor's confirmed Plan and the Bankruptcy Code; and it is further

ORDERED that the Claims set forth on Exhibit "C" to the Objection and attached hereto are hereby disallowed and expunged as set forth on Exhibit "C" pursuant to 11 U.S.C. § 502(b)(1) as being noncompliant with the Bankruptcy Rules rendering the Trust Administrator unable to determine if the claims are valid; and it is further

ORDERED that the Claims set forth on Exhibit "D" to the Objection and attached hereto are hereby disallowed and expunged as set forth on Exhibit "D" pursuant to 11 U.S.C. §§ 501 and 502(a) as lacking supporting Proof of Claim filings and therefore noncompliant with the Bankruptcy Rules; and it is further

ORDERED that the clerk of the court shall reflect the reduction, expungement and elimination, or disallowance of the Claims set forth on Exhibits "A", "B", "C", and "D" as indicated, from the Court's official claims register; and it is further

ORDERED that the Trust Administrator is authorized and empowered to take such actions as may be necessary and appropriate to implement the terms of this Order.

BY THE COURT:

Honorable Ashely Chan
Chief United States Bankruptcy Judge

Exhibit A: Untimely Filed Proofs of Claim								
Creditor	Schedule F Amount	Schedule F No.	C, U, D	POC#	POC Amount	Allowed Claim	Disputed Claims	Omnibus Objection Paragraphs
1st Black Hawk LLC 715 East Nields Street West Chester, PA 19380	\$196,191.95	3.1		76	\$196,191.95	\$196,191.95		20-22
United Rentals P.O. Box 100711 Atlanta, GA 30384-0711	\$35,453.02	3.151		77	\$49,491.20			20-22

Exhibit B: Satisfied, Released, and/or Waived Proofs of Claim								
Creditor	Schedule F Amount	Schedule F No.	C, U, D	POC#	POC Amount	Allowed Claim	Disputed Claims	Omnibus Objection Paragraphs
AA Glass Industries LLC 2345 Route 9, Unit #3 Toms River, NJ 08755	\$46,431.26	3.6		Amended 9	\$54,131.31		\$54,131.31	23-27
Bristol Millwork Inc. 4560 Tacony Street Philadelphia, PA 19124	\$146,655.40	3.31	C	49	\$146,655.40		\$146,655.40	23-27
Cippco Inc. 9323 Keystone Street Philadelphia, PA 19114	\$151,981.07	3.36	C, U, D	32	\$174,420.29		\$174,420.29	23-27
Component Assembly Systems, Inc. 580 Virginia Drive, Suite 140 Fort Washington, PA 19034	\$0.00	3.39	C, U, D			\$0.00		23-27
DDM Steel 3659 North Delsea Drive Vineland, NJ 08360	\$44,784.69	3.44	C	53	\$64,857.00		\$64,857.00	23-27
Eckert Seamans Cherin & Mellott, LLC 2 Liberty Place 50 S. 16th Street, 22nd Floor Philadelphia, PA 19102	N/A	N/A		70	\$16,225.00		\$16,225.00	23-27
Elite Painting Service 600 Deer Road, Suite 10 Cherry Hill, NJ 08034	\$87,860.00	3.56		Amended 27	\$97,700.00		\$97,700.00	23-27
Freedom Glass & Metal, Inc. 4 White Horse Pike Clementon, NJ 08021	\$92,071.68	3.58	C	40	\$92,071.68		\$92,071.68	23-27
Hasan Tahiraj c/o Mullaney & Gjellaj, PLLC 100-09 Metropolitan Avenue Forest Hills, NY 11375	\$0.00	3.67	C, U, D			\$0.00		23-27
James Floor Covering Inc. 2604 Durham Road Bristol, PA 19007	\$70,562.82	3.76	C, U, D			\$0.00		23-27
KLS Logistics, Inc. c/o DHL Supply Chain (USA) Attn: Legal Department 360 Westar Boulevard Westerville, OH 43082	\$0.00	3.83	C, U, D			\$0.00		23-27
KPG-MCG Curtis Tenant LLC Keystone Property Group 125 E. Elm Street, Suite 400 Conshohocken, PA 19428	\$0.00	3.84	C, U, D			\$0.00		23-27
Network Flooring & Maintenance 101 W Abbey Drive Townsend, DE 19734	\$25,177.29	3.105		13	\$26,447.29		\$26,447.29	23-27
Pennsylvania Flooring 66 Ford Road, Suite 141 Denville, NJ 07834	\$117,611.40	3.114	C	47	\$155,912.40		\$155,912.40	23-27
Philip Borst 641 Pugh Road Wayne, PA 19087	\$213,000.00	3.117		57	\$231,000.00		\$231,000.00	23-27
Revolution Recovery LLC 7333 Milnor Street Philadelphia, PA 19036	\$6,930.10	3.126		37	\$8,631.60		\$8,631.60	23-27
Superior Scaffold Services Inc. 600 Center Avenue Bensalem, PA 19020	\$15,552.57	3.143	C	18	\$28,409.28		\$28,409.28	23-27
Towne and Country Roofing & Siding 4775 Lerch Road Bensalem, PA 19020	\$34,355.44	3.148	C	6	\$48,097.61		\$48,097.61	23-27

Exhibit C: Claims Not in Compliance with the Bankruptcy Rules								
Creditor	Schedule F Amount	Schedule F No.	C, U, D	POC#	POC Amount	Allowed Claim	Disputed Claims	Omnibus Objection Paragraphs
Bursese Electric Inc. 1275 Bloomfield Avenue, Building 1-6AR Fairfield, NJ 07004	\$88,663.55	3.32		69	\$100,668.90		\$100,668.90	28-32
Buttonwood Company, Inc. P.O. Box 500 Eagleville, PA 19408	\$78,410.00	3.34		21	\$86,420.00		\$86,420.00	28-32
Cippco Inc. 9323 Keystone Street Philadelphia, PA 19114	\$151,981.07	3.36	C, U, D	32	\$174,420.29		\$174,420.29	28-32
Corporate Interiors Inc. 226 Lisa Drive New Castle, DE 19720	\$15,252.32	3.41		29	\$16,007.55		\$16,007.55	28-32
Cypress Door & Glass LLC 185 Lancaster Avenue Malvern, PA 19355	\$108,086.13	3.43		75	\$123,908.00		\$123,908.00	28-32
DDM Steel 3659 North Delsea Drive Vineland, NJ 08360	\$44,784.69	3.44	C	53	\$64,857.00		\$64,857.00	28-32
East Third Media, LLC c/o Wright Partners Attn: Carl Wright 20 South Olive Street, Suite 203 Media, PA 19063	\$0.00	3.53	C, U, D	14	\$416,830.05		\$416,830.05	28-32
EC Fence & Iron Works Inc. 2941 Felton Road Norristown, PA 19401	\$18,039.00	3.54		Amended 43	\$37,689.00		\$37,689.00	28-32
Edward B. O'Reilly & Associates, Inc. 30 West Highland Avenue Philadelphia, PA 19118	\$149,729.15	3.55		5	\$161,707.48		\$161,707.48	28-32
Action Store Fronts, Inc. Attn: Jeffrey M. Farinacci 263 Union Blvd. West Islip, NY 11795	N/A	N/A		58	Unliquidated		Unliquidated	28-32
Fromkin Brothers Inc. 4510 Adams Circle, Unit E Bensalem, PA 19020	\$172,641.01	3.59		73	\$207,686.51		\$207,686.51	28-32
Genova, Burns, Giantomasi & Webster 2 Riverside Drive Camden, NJ 08103	\$2,722.50	3.62		Amended 4	\$8,175.75		\$8,175.75	28-32
Hanover Insurance Company Attn: Bari K. Shinbaum, Esquire Hanover Insurance Co. Manson & McCarthy 17 State Street, 8th Floor New York, NY 10004	N/A	N/A		59	Unliquidated		Unliquidated	28-32
HK Panels Systems 1500 Industry Road, Suite G Hatfield, PA 19440	\$21,999.50	3.71		65	\$30,550.40		\$30,550.40	28-32
Kevin J. Bailey & Son LLC 917 Northwood Avenue Cherry Hill, NJ 08002	\$33,668.11	3.82		63	\$62,264.30		\$62,264.30	28-32
MAC Sprinkler Inc. 3812 W. 9th Street Levittown, PA 19057	\$20,562.91	3.91		Second Amended 10	\$20,562.92	\$20,562.92		28-32
Massachusetts Bay Insurance Company c/o Brian W. Bisignani, Esquire Post & Schell PC 1869 Charter Lane Lancaster, PA 17601	N/A	N/A		60	Unliquidated		Unliquidated	28-32

Exhibit C: Claims Not in Compliance with the Bankruptcy Rules								
Creditor	Schedule F Amount	Schedule F No.	C, U, D	POC#	POC Amount	Allowed Claim	Disputed Claims	Omnibus Objection Paragraphs
Mayfield Site Contractors 596 Swedeland Road King of Prussia, PA 19406	\$149,200.00	3.94		64	\$192,140.27		\$192,140.27	28-32
McCarthy Masonry and Concrete, Inc. 740 E. Cherry Road Quakertown, PA 18951	\$114,620.63	3.95		11	\$127,808.12		\$127,808.12	28-32
Med-Tex Services Inc P.O. Box 240 Penns Park, PA 18943	\$680.00	3.96		3 & 24	\$902.18		\$902.18	28-32
Morris Black & Sons, Inc. 984 Marcon Blvd. Allentown, PA 18109	\$9,979.34	3.99		17	\$12,350.01		\$12,350.01	28-32
Nerd Street Gamers Localhost Philadelphia, LLC Attn: John Fazio, CEO 908 North Third Street Philadelphia, PA 19123	\$0.00	3.104	C, U, D	72	\$746,102.00		\$746,102.00	28-32
Northeast Fire Proofing 608 Ryan Avenue Westville, NJ 08093	\$11,996.39	3.108		45	\$16,596.39		\$16,596.39	28-32
Pennsylvania Flooring 66 Ford Road, Suite 141 Denville, NJ 07834	\$117,611.40	3.114	C	47	\$155,912.40		\$155,912.40	28-32
Reilly Glazing Inc 200 E. Washington Street Norristown, PA 19401	\$176,233.00	3.125		61	\$192,124.50		\$192,124.50	28-32
RW Professional Cleaning LLC 112 Curnard Street Wilmington, DE 19804	\$37,414.75	3.129	C	74	\$58,754.75		\$58,754.75	28-32
Schaibles Mechanical LLC 241 Van Syckles Road Hampton, NJ 08827	\$33,374.47	3.132		Amended 50	\$28,302.30	\$28,302.30		28-32
Schaibles Plumbing & Heating, Inc. c/o DL Thompson Law, PC P.O. Box 679 Allenwood, NJ 08720	N/A	N/A		51	\$37,517.38		\$37,517.38	28-32
Scope FLP Pennington SM, LLC Attn: Didier Choukroun, Manager One Biscayne Tower 2 South Biscayne Boulevard, Suite 2000 Miami, FL 33131	\$0.00	3.134	C, U, D	56	\$647,407.79		\$647,407.79	28-32
Scungio & Company 117 Moore Drive Media, PA 19063	\$97,832.00	3.135				\$97,832.00		28-32
Scungio Borst International 117 Moore Drive Media, PA 19068	\$15,168.00	3.136				\$15,168.00		28-32
Shopping Center Associates c/o Simon Construction Group Attn: Michael E. McCarty, President 225 West Washington Street, 9th Floor Indianapolis, IN 46204	\$0.00	3.139	C, U, D	48			\$2,623,038.65	28-32
Summit Architectural Metals & Glass 920 Eldridge Drive, Suite G Hagerstown, MD 21740	\$79,015.11	3.142		66	\$116,006.03		\$116,006.03	28-32
Superior Scaffold Services Inc. 600 Center Avenue Bensalem, PA 19020	\$15,552.57	3.143	C	18	\$28,409.28		\$28,409.28	28-32

Exhibit C: Claims Not in Compliance with the Bankruptcy Rules								
Creditor	Schedule F Amount	Schedule F No.	C, U, D	POC#	POC Amount	Allowed Claim	Disputed Claims	Omnibus Objection Paragraphs
Towne and Country Roofing & Siding 4775 Lerch Road Bensalem, PA 19020	\$34,355.44	3.148	C	6	\$48,097.61		\$48,097.61	28-32
Troost Fire Protection 58 Hyatt Road Branchville, NJ 07826	\$12,143.35	3.150		35	\$13,492.61		\$13,492.61	28-32
United Rentals P.O. Box 100711 Atlanta, GA 30384-0711	\$35,453.02	3.151		77	\$49,491.20			28-32
William Walter Construction Group LLC Attn: Michael Barbella 1431 N. Tuckahoe Road Williamstown, NJ 08094	\$215,738.83	3.157		38	\$230,466.36		\$230,466.36	28-32

Exhibit D: Scheduled Claims with No Timely Filed Proof of Claim								
Creditor	Schedule F Amount	Schedule F No.	C, U, D	POC#	POC Amount	Allowed Claim	Disputed Claims	Omnibus Objection Paragraphs
TDR Systems Inc. t/a CHUTES International 33 Industrial Park Drive Waldorf, MD 20602	\$9,458.46	3.145	C			\$0.00		33-35